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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/322,177	05/28/1999	HIROHIKO ITOH	35.G1549-CI	7620

5514 7590 04/28/2003

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EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 04/28/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/322,177

Applicant(s)

ITOH, HIROHIKO

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 16-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 16, 19-20, 23, 26-27, 30 and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikenoue et al. (US Patent No. 5,671,277).

As to claim 16, Ikenoue discloses an image processing apparatus comprising:

a printer (i.e., output unit 6 in fig. 13) that prints an image on a recording sheet (i.e., hard copy) based on image data (col. 1, lines 27-29);

a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) that receives a detachable storage medium (i.e., a floppy disk 104 in fig. 1), the detachable storage medium having stored therein image data and sheet processing information (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet processing information such as a position designation data, character codes and figure codes "in fig. 22"); and

a controller (i.e., a main controller 7 in fig. 13) that controls said printer so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image

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data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. col. 14, lines 27-29: the main controller 7 controls the printer "the output unit 6" for printing the image data from the floppy disk).

As to claim 19, Ikenoue discloses every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information is stored in the detachable storage medium by an apparatus other than the image processing apparatus (the image data, which is print data stored in the floppy disk for printing at the printer, is not from the printer).

As to claim 20, Ikenoue teaches every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information indicating a number of copies of the image to be made (col. 15, lines 48).

As to claim 23, Ikenoue discloses a method for processing an image comprising the steps of:

loading a detachable storage medium (i.e., a floppy disk 104 in fig. 1) into a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) of an image processing apparatus, the detachable storage medium having stored therein image data and sheet processing information for processing a recording sheet (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet processing information such as a position designation data, character codes and figure codes "in fig. 22")

prints (i.e., output unit 6 in fig. 13) an image on a recording sheet (i.e., hard copy) based on image data stored in the detachable storage medium loaded in the loading unit (col. 14, lines 27-29); and

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controlling (i.e., from a main controller 7 in fig. 13) the printing so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. Col. 14, lines 27-29: the main controller 7 controls the printer "the output unit 6" for printing the image data from floppy disk).

As to claim 26, Ikenoue discloses every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information is stored in the detachable storage medium by an apparatus other than the image processing apparatus (the image data, which is print data stored in the floppy disk for printing at the printer, is not from the printer).

As to claim 27, Ikenoue teaches every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information indicating a number of copies of the image to be made (col. 15, lines 48).

As to claim 30, Ikenoue discloses a recording media having recorded therein code for executing the steps of:

reading image data and sheet processing information from a detachable storage medium (i.e., a floppy disk 104 in fig. 1) into a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) of an image processing apparatus (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet

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processing information such as a position designation data, character codes and figure codes “in fig. 22”)

prints (i.e., output unit 6 in fig. 13) an image on a recording sheet (i.e., hard copy) based on image data stored in the detachable storage medium loaded in the loading unit (col. 14, lines 27-29); and

controlling (i.e., from a main controller 7 in fig. 13) the printing so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. Col. 14, lines 27-29: the main controller 7 controls the printer “the output unit 6” for printing the image data from floppy disk).

As to claim 33, Ikenoue discloses every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information is stored in the detachable storage medium by an apparatus other than the image processing apparatus (the image data, which is print data stored in the floppy disk for printing at the printer, is not from the printer).

As to claim 34, Ikenoue teaches every feature discussed in claim 16, and Ikenoue further teaches that the sheet processing information indicating a number of copies of the image to be made (col. 15, lines 48).

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***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-18, 21, 24-25, 28, 31-32, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikenoue as applied in claims 16, 23 and 30 above and in combination with Douglas et al. (US Patent No. 5,281,998).

As to claims 17-18 and 21, disclose every feature discussed in claim 16.

However, Ikenoue does not teach the format control data (i.e., the sheet processing information) indicating whether sorting, stapling, single or double sided information to the image data.

Douglas teaches the job resource from a disk (28 or a tape 30 in fig. 2, col. 3, lines 19-24) including the job format having duplex or simplex information (59 in fig. 3A, col. 3, lines 43-53). Since the sorting and stapling data are the same format control data, the sorting and stapling data would be included in the job resource.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the format control data of Ikenoue for including either the double or single sided data as taught by Douglas. The suggestion for modifying the printing system of Ikenoue can be reasoned by one of ordinary skill in the art as set forth above by Douglas because the modified printing system of Ikenoue would increase the functionality of the format control data of the print data from the floppy disk to include the optional control data such as double, single

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sided, sorting or stapling control data. The resultant format control data would allow the controller of a printer could perform the printing job processing directly without looking the optional control data from other source.

As to claims 24-25, 28, and 31-32, 35, the combination of Ikenoue and Douglas teaches the method and the program for performing the functions of the apparatus claims 17-18 and 21 above.

5. Claims 22, 29 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Ikenoue and Douglas et al. (US Patent No. 5,281,998).

As to claim 22, Ikenoue discloses an image processing apparatus comprising:

a printer (i.e., output unit 6 in fig. 13) that prints an image on a recording sheet (i.e., hard copy) based on image data (col. 1, lines 27-29);

a loading unit (i.e., Floppy Disk Drive "FDD" 2 in fig. 13) that receives a detachable storage medium (i.e., a floppy disk 104 in fig. 1), the detachable storage medium having stored therein image data and sheet processing information (col. 12, lines 20-28 describes that floppy disk storing image data received by the interface 112 in fig. 21 has a predetermined format including sheet processing information such as a position designation data, character codes and figure codes "in fig. 22"); and

a controller (i.e., a main controller 7 in fig. 13) that controls said printer so as to print an image on the recording sheet based on objective image data stored in the detachable storage medium in accordance with the sheet processing information stored with the objective image data in the detachable storage medium loaded in said loading unit (col. 12, lines 38-46: the image



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data or print data stored in the floppy disk is retrieved from the floppy disk drive 2; the image data is analyzed and processed based on the objects of the image data by the main controller 7. col. 14, lines 27-29: the main controller 7 controls the printer "the output unit 6" for printing the image data from the floppy disk).

Although Ikenoue does not teach format control data (col. 12, lines 44-45) including the setting of double-sided or single-sided printing of the image. Such above limitations, which are well known in the prior art, are the settings which are prepared and generated from the host computer and these setting functions are performed in the conventional printer when the printer receives the instructions from the host side either via directly connection network or via indirectly by the floppy disk. Such limitations would have been obvious in the printing system of Ikenoue. Since Ikenoue teaches the format control data such as format data or a print position data is received, then internal edition conditions are changed according to the data, Ikenoue can include more optional control information to the image data such as the double or single sided for control the printer.

Douglas teaches the job resource from a disk (28 or a tape 30 in fig. 2, col. 3, lines 19-24) including the job format having duplex or simplex information (59 in fig. 3A, col. 3, lines 43-53).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the format control data of Ikenoue for including either the double or single sided data as taught by Douglas. The suggestion for modifying the printing system of Ikenoue can be reasoned by one of ordinary skill in the art as set forth above by Douglas because the modified printing system of Ikenoue would increase the functionality of the format control

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data of the print data from the floppy disk to include the optional control data such as double or single sided control data. The resultant format control data would allow the controller of a printer could perform the printing job processing directly without looking the optional control data from other source.

As to claims 29 and 36, the combination of Ikenoue and Douglas teaches the method and the program for performing the functions of the apparatus claim 22 above.

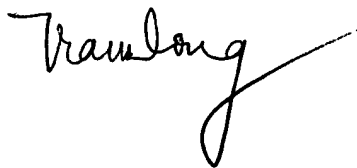
### ***Conclusion***

Applicant's arguments with respect to claims 16-36 have been considered but are moot in view of the new ground(s) of rejection. This action is made **non-final**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran  
Apr. 23, 2003

A handwritten signature in black ink, appearing to read "Tran Douglas", with a long, sweeping horizontal stroke extending to the right.